

REMARKS:Status

After this response, claims 1 to 6 and 8 to 21 are pending. Claims 1, 3, 8 and 13 are the independent claims and have been amended. Claims 14 to 21 have been added.

Reconsideration and further examination are respectfully requested.

Art Rejections

Claims 1, 2, 6, 8, 9 and 12 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 4,680,781 (Amundson). Claims 3 and 13 were rejected under § 103(a) over Amundson in view of U.S. Patent No. 5,490,271 (Elliott). Claims 4 and 10 were rejected under § 103(a) over Amundson in view of U.S. Patent No. 5,574,722 (Slykhouse). Claims 5 and 11 were rejected under § 103(a) over Amundson in view of U.S. Patent No. 6,457,055 (Hwong).

Discussion of Claims

Claims 1, 2, and 4 to 6: Claim 1 is the independent one of these claims and is reproduced below:

1. A method, including steps of  
at a first device coupled to a communication link, generating at least one first message to a set of second devices coupled to said communication link, said one first message being disposed so that its receipt at said set of second devices causes said set of second devices to generate one or more second messages in response thereto;

determining a count of said second messages received at said first device;  
determining whether or not a protocol mismatch exists between said first device and any of said set of second devices, in response to said count of said second messages.

The art applied against claim 1, namely Amundson, is not seen by Applicant to disclose or to suggest the foregoing features, at least with respect to “determining whether or not a protocol mismatch exists between said first device and any of said set of second devices, in response to said *count* of said second messages” (emphasis added).

Applicant has carefully studied the “Response to Arguments” and rejection of claim 1 in the Office Action. In view of these portions of the Office Action, Applicant surmises that the term “number of said messages” in former claim 1 was interpreted along the lines of “plurality of said messages” or “several of said messages.” However, the invention of claim 1 utilizes the actual number (i.e., count) of messages when determining whether or not a protocol mismatch exists.

In order to clarify this matter further, Applicant has amended claim 1 to recite use of a “count” of messages. Applicant submits that Amundson clearly does not utilize such a count in its protocol matching operations. Thus, Amundson is not seen by Applicant to disclose or to suggest using such a count to determine whether or not a protocol mismatch exists, as recited by claim 1.

Applicant has reviewed the remaining art cited against other claims in this case. Applicant does not see anything in these references that remedies Amundson’s foregoing deficiencies.

For at least these reasons, reconsideration and withdrawal are respectfully requested of the rejections of claims 1 and its dependent claims 2 and 4 to 6. Allowance of these claims also is respectfully requested.

Claims 3 and 18 to 21: Claim 3 is the independent one of these claims and is reproduced below:

3. A method, including steps of  
at a first device coupled to a communication link, generating at least one first message over said communication link to a set of second devices, said one first message being disposed so that its receipt at said set of second devices causes said set of second devices to generate one or more second messages over said communication link in response thereto;  
monitoring receipt of said second messages at said first device;  
at said first device, generating at least one third message over said communication link to said set of second devices, said one third message being generated in an attempt to interfere with communication on said communication link when said communication link is configured as half-duplex; and  
determining whether or not a protocol mismatch exists between said first device and any of said set of second devices in response to whether or not said attempt to interfere succeeds.

Applicant notes that this language has been amended to recite that the first message, the one or more second messages, and the third message are all over the same communication link.

The art applied against claim 3, namely Amundson and Elliott, is not seen to disclose or to suggest the foregoing features, at least with respect to “generating at least one third message over said communication link to said set of second devices, said one third message being generated in an attempt to interfere with communication on said communication link when said communication link is configured as half-duplex.”

The Office Action acknowledged that Amundson does not teach a feature along these lines. Elliott was cited for teaching such a feature.

In Elliott, a local application connected to a remote application over a computer network can interrupt processing of the remote application. Applicant submits that this operation differs from the method recited by claim 3. In particular, interrupting a remote application is not seen to be equivalent to interfering with communication on a communication link, as recited by claim 3.

Furthermore, when in half-duplex mode, Elliott teaches opening “a new communication link” in order to pass an identifier of a process to be interrupted. See Elliott, Abstract, col. 2, lines 34 and 35, and col. 3, lines 53 to 61. This operation is in contrast to the language of amended claim 3, which recites “generating at least one third message over said communication link” – the same link as used for the first message and the second messages – “in an attempt to interfere with communication on said communication link when said communication link is configured as half-duplex.”

Elliott did disclose a situation in which the identifier can be sent over an existing communication link. In particular, Elliott at col. 4, lines 60 to 64, teaches that “if a particular network supported full-duplex communications, it is possible for the interrupt request signal at the user node to be transmitted to the server node over the existing communications link.” However, when in full-duplex mode, a signal can be transmitted over an existing link without interfering with communication over that existing link. Thus, Applicant submits that this teaching of Elliott is not an example of an attempt to interfere with communication over the

existing link, but rather an attempt to pass an interrupt signal over the link without interference so that the interrupt can be processed.

Thus, Amundson and Elliott are not seen by Applicant to disclose or to suggest claim 3's feature of "generating at least one third message over said communication link to said set of second devices, said one third message being generated in an attempt to interfere with communication on said communication link when said communication link is configured as half-duplex."

Applicant has reviewed the remaining art cited against other claims in this case. Applicant does not see anything in these references that remedies Amundson's and Elliott's foregoing deficiencies.

For at least these reasons, reconsideration and withdrawal are respectfully requested of the rejections of claims 3 and its dependent claims 18 to 21. Allowance of these claims also is respectfully requested.

Claims 8 to 12: These claims recite devices comprising a communication link, a processor that executes instructions, and a memory that stores the instructions. These instructions include the steps recited by claims 1, 2, and 4 to 6. Accordingly, for at least the reasons discussed above with respect to those claims, reconsideration and withdrawal are respectfully requested of the rejections of claims 8 to 12. Allowance of claims 8 to 12 also is respectfully requested.

Claims 13 to 17: These claims recite devices comprising a communication link, a processor that executes instructions, and a memory that stores the instructions. These

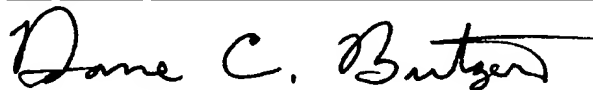
instructions include the steps recited by claims 3 and 18 to 21. Accordingly, for at least the reasons discussed above with respect to those claims, reconsideration and withdrawal are respectfully requested of the rejections of claims 13 to 17. Allowance of claims 13 to 17 also is respectfully requested.

Closing

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney can be reached at (614) 486-3585. All correspondence should continue to be directed to the address indicated below.

Respectfully submitted,

A handwritten signature in black ink that reads "Dane C. Butzer". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Dane C. Butzer  
Reg. No. 43,521

Dated: January 20, 2004

Swernofsky Law Group, PC  
P.O. Box 390013  
Mountain View, CA 94039-0013  
(650) 947-0700